

RICHARD GUILBAULT

January 14, 2010

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

4

FOR THE COUNTY OF SANTA CRUZ

5

6 DAVID BUTLER, AS CONSERVATOR)

OF THE PERSON AND ESTATE OF)

7

STEVEN ALAN BUTLER,)

)

8

PLAINTIFFS,)

)

9

VS.

) CASE NO.: CV 161436

)

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TASER INTERNATIONAL, INC.,)

PROFORCE MARKETING, INC., AND)

11

DOES 1 THROUGH 20, INCLUSIVE,)

)

12

DEFENDANTS.)

)

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14

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DEPOSITION OF RICHARD GUILBAULT

16

JANUARY 14, 2010

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RON FERNICOLA & ASSOCIATES

CERTIFIED SHORTHAND REPORTERS

23

REPORTED BY: ROSA I. GUZMAN, CSR NO. 12024

27720 Avenue Scott, Suite 140

24

Valencia, California 91355

(661) 775-8299

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FILE NO. 1037

RON FERNICOLA & ASSOCIATES

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RICHARD GUILBAULT,

3

a witness herein, having first been duly administered

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the oath, deposed and testified as follows:

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EXAMINATION

7

BY MR. BURTON:

8

Q Could you state your complete name for the

9

record, please.

10

A Richard Guilbault.

11

Q Could you spell your last name.

12

A G-u-i-l-b-a-u-l-t.

13

Q Do you have a middle name?

14

A Arthur.

15

Q And I understand that you've had your

16

deposition taken, let's say, 15 or 20 times before?

17

A That's correct, yes.

18

Q And have all of those been in connection

19

with your employment with Taser?

20

A All but one.

21

Q And was the one before you joined Taser in

22

your capacity as a police officer?

23

A Yes, it was.

24

Q So I understand that you've got a lot of

25

experience with this process. And we have a stack of

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1 beyond that, I guess the question is vague.

2 Q BY MR. BURTON: Well, do you know anything
3 about any of the results of his studies?

4 A I may. I couldn't necessarily attribute
5 them to him, but I may have heard what the results
6 might have been.

7 Q Well, in 2005 or 2006, did anyone tell you
8 that a study on pigs that was funded in part by Taser
9 International showed that when the probes are located
10 near the heart of the test animal, they can have an
11 effect on heart rhythm?

12 MS. O'LINN: To the extent you're asking him if
13 he's ever been told anything of that nature, if
14 anything falls within the attorney-client privilege,
15 I'm instructing the witness not to answer.

16 Beyond that, you could answer.

17 MR. BURTON: I specifically asked about the
18 years 2005 and 2006.

19 MS. O'LINN: And he started to work for the
20 corporation in?

21 MR. BURTON: 2004.

22 MS. O'LINN: So the instruction stands.

23 THE WITNESS: No.

24 Q BY MR. BURTON: So if I told you
25 that -- and I think I'm being accurate here -- in

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1 March of 2006, Dr. Lakkiredy -- and he's got
2 co-authors, but he's the lead author -- published a
3 paper saying that a standard X26 current, when
4 applied to the chest of test animals, caused cardiac
5 capture, that information was not relayed to you in
6 2006 outside of an attorney-client communication?

7 A No.

8 Q And was any information to the effect that
9 Taser-funded test animal studies have established the
10 possibility that the X26 can affect heart rhythm --
11 was anything to that effect incorporated into Taser
12 training in the year 2006?

13 A Not that I recall.

14 Q Now, there's another doctor who has a very
15 common name. It's Kumaraswamy Nanthakumar,
16 K-u-m-a-r-a-s-w-a-m-y N-a-n-t-h-a-k-u-m-a-r. Have
17 you ever heard of that name before?

18 A Yes, I have.

19 Q In what connection?

20 A I believe I heard it as part of a
21 presentation, one of our risk-management courses.

22 Q And do you know when that was?

23 A I attend probably 25 to 30 of these
24 courses. So probably multiple ones over the last
25 three years.

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1 STATE OF CALIFORNIA)
)

2 COUNTY OF LOS ANGELES)

3 I, ROSA I. GUZMAN, CERTIFIED SHORTHAND
4 REPORTER NO. 12024, DECLARE:

5 THAT PRIOR TO BEING EXAMINED, THE WITNESS
6 NAMED IN THE FOREGOING DEPOSITION WAS BY ME DULY
7 ADMINISTERED THE OATH TO TESTIFY TO THE TRUTH, THE
8 WHOLE TRUTH, AND NOTHING BUT THE TRUTH;

9 THAT SAID DEPOSITION WAS TAKEN BEFORE ME AT
10 THE TIME AND PLACE THEREIN SET FORTH AND WAS TAKEN
11 DOWN BY ME IN SHORTHAND AND THEREAFTER TRANSCRIBED
12 UNDER MY DIRECTION AND SUPERVISION, AND I HEREBY
13 DECLARE THAT THE FOREGOING TRANSCRIPT IS A TRUE AND
14 CORRECT TRANSCRIPT OF MY SHORTHAND NOTES SO TAKEN.

15 I FURTHER DECLARE THAT I AM NEITHER COUNSEL
16 FOR NOR RELATED TO ANY PARTY TO SAID ACTION NOR IN
17 ANYWISE INTERESTED IN THE OUTCOME THEREOF.

18 I DECLARE UNDER PENALTY OF PERJURY UNDER
19 THE LAWS OF THE STATE OF CALIFORNIA THAT THE
20 FOREGOING IS TRUE AND CORRECT.

21 IN WITNESS WHEREOF, I HAVE HEREUNTO
22 SUBSCRIBED MY NAME THIS 29TH DAY OF JANUARY, 2010.

23

24

ROSA I. GUZMAN, CSR NO. 12024

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